

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY ag D.C.  
05 OCT 12 PM 4:40

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

United States Of America,

Plaintiff,

vs.

National Bank of Commerce,

Defendant/Third-Party Plaintiff,

vs.

Specialty Foods, LLC, and Paul T.  
Capps,

Third-Party Defendants.

Civil Action No. 2:05-CV-02382-B/A

ORDER

Having considered the United States' UNOPPOSED MOTION TO PARTICIPATE IN HEARING VIA TELEPHONE, and the entire record herein, and good cause having been shown, this 12<sup>th</sup> day of October 2005, it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that the Clerk shall distribute copies of this signed order to all necessary parties.

S. Thomas Under WMS  
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 10-13-05

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 2:05-CV-02382 was distributed by fax, mail, or direct printing on October 13, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT